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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/627,025	07/25/2003	Akitoshi Kitazawa	ALPINE.028AUS	3683

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EXAMINER
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CAVALLARI, DANIEL J

ART UNIT	PAPER NUMBER
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2836

DATE MAILED: 03/10/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

37

<b>Office Action Summary</b>	<b>Application No.</b>		<b>Applicant(s)</b>	
	10/627,025		KITAZAWA, AKITOSHI	
	<b>Examiner</b>		<b>Art Unit</b>	
	Daniel J. Cavallari		2836	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 25 July 2003.
- 2a) ☐ This action is FINAL.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-3 and 9-13 is/are rejected.
- 7) ☒ Claim(s) 4-8 and 14-18 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 25 July 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                        | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)               | Paper No(s)/Mail Date. _____  |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>1/8/2004</u> .  | 6) <input type="checkbox"/> Other: _____                                    |

## **DETAILED ACTION**

### ***Information Disclosure Statement***

The information disclosure statement (IDS) submitted on 1/8/2004 is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

### ***Drawings***

Figures 1, 3, 4A, & 4B are directed to prior art as described in the background section of the specification (See Pages 1-4) and should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). Corrected drawings in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

The drawings are objected to under 37 CFR 1.83(a) because they fail to show wherein the brake interlock function disables the display unit when the display unit is mounted on a dashboard of a vehicle as described in Claim 1. Any structural detail that is essential for a proper understanding of the disclosed invention should be shown in the drawing. MPEP § 608.02(d). Corrected drawing sheets in compliance with 37 CFR

1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

### ***Specification***

The specification is objected to as failing to provide proper antecedent basis for the claimed subject matter. See 37 CFR 1.75(d)(1) and MPEP § 608.01(o). Correction of the following is required:

Although the specification discloses a display unit (11) (See Figure 5B) where the brake interlock function is released by a release signal when the display compartment having the display unit is mounted on a rear of a front or middle seat (See Specification,

Pages 11-12), the specification fails to disclose the display unit (11) mounted on a dashboard of the vehicle wherein the brake interlock function disables the display unit when the vehicle is in motion. The examiner notes that such a configuration is disclosed in the prior art as shown in Figure 1, but it is not disclosed in view of the current invention and display unit (11) of Figure 5B. Therefore, it is unclear how the display unit (11) of the current invention is installed in a dashboard such that the brake interlock function is enabled.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 1, 2, 10, & 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over applicants admitted prior art & Park et al. (US 2004/0007906 A1)

In regard to Claims 1, 2, 10, 11, & 12

- A display unit (11) for a vehicle audio/video system for displaying images (See Figure 4A & Specification, Page 4).
- A release device, read on by the wire (47a) (See Figure 4A & Specification, Page 4) attached to the display unit (11) and the display compartment (via the display)

for producing a release signal when the display unit is installed in the display compartment.

- Wherein the brake interlock function, provided by switches (44 & 45) (See Figure 4A) disables the display unit when the display unit is mounted on a dashboard (See Specification, Page 1) of the vehicle (See Specification, Page 5) and when the vehicle is in motion; and wherein the brake interlock function is released by the release signal when the display compartment having the display unit is mounted on a rear of a front or middle seat, thereby enabling the display unit (See Specification, Page 5).

Applicant's admitted prior art fails to teach a display compartment for receiving the display unit. Park et al. (hereinafter referred to as Park) teach a compartment (94) in which a display unit (38) is inserted such that the compartment (94) secures the display unit to the seat (See Paragraphs 55-58 & Figures 1-3) in which the compartment is configured to be fit solely with a recess formed on the rear of a headrest (See Paragraph 55).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the compartment taught by Park into the display system taught by the applicants admitted prior art. The motivation would have been to provide a means to secure the display device to the seat.

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In regard to Claims 3 & 13

Park teach a compartment (94) in which a display unit (38) is inserted such that the compartment (94) secures the display unit to the seat (See Paragraphs 55-58 & Figures 1-3) in which the compartment is configured to be fit solely with a recess formed on the rear of a headrest (See Paragraph 55) however park fails to teach such compartment configured to fit in a recess formed on a seat back.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to place the compartment taught by Park in the back of a seat since it has been held that rearranging parts of an invention involves only routine skill in the art. *In re Japikse*, 181 F.2d 1019, 86 USPQ 70 (CCPA 1950). The motivation would have been to place the display at a location convenient for viewing of the passengers.

Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over applicants admitted prior art, Park et al., & Yoshioka (US 6,351,705).

Incorporating all arguments above of the apparatus for releasing a brake interlock function of a vehicle display system, applicant's admitted prior art fails to teach a display unit in which a function of a navigation system is unaffected by the block interlock function. Yoshioka teaches a vehicle navigation and entertainment display system for a vehicle (See Column 1, Lines 5-11 & Column 3, Lines 26-41) in which the driver is restricted in regards to the options of the display device available while the vehicle is in motion (See Column 4, Lines 18-61) wherein a function (display) of the navigation system is unaffected by the block interlock function.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the navigation system as taught by Yoshioka into the vehicle display device of the applicant's admitted prior art. The motivation would have been to aid in the navigation of the driver while allowing the driver to view the navigation system while driving but prohibiting other viewing that could pose as a distraction.

### ***Allowable Subject Matter***

Claims 4-8 & 14-18 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claims 4-8 & 14-18 recite the limitation of a brake release mechanism comprising switch which is activated within the display compartment. Tengler et al. (US 2002/0175564 A1) teaches a mechanical switch or light source used to enable/disable viewing of a vehicle mounted screen (See Paragraph 5 & 20-23) however there is a lack of motivation to combine the teachings of Tengler et al with the system taught by the applicant's admitted prior art.

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.



- Ogino (US 2003/0007227) teaches a vehicle display device which displays both a navigation and video component (See figure 5) but prevents the driver from viewing the video component while the vehicle is in motion (See Figure 6 & Paragraph 44)
- Zuber et al. (US 6,029,110) teaches a vehicle navigation display device which restricts the function of the driver when the vehicle is in motion (See Column 1, Line 45 to Column 2, Line 27)
- Altman et al. (US 5,191,312) teaches a display control device which limits the display when the vehicle is in motion.
- Okamoto et al. (US 5,541,572) teaches a vehicle television system which limits the device when the vehicle is in motion via motion detection devices (See Column 2, Line 7 to Column 4, Line 10)
- Postrel (US 2004/0121645 A1) teaches a modular electronic system incorporating a universal mounting structure for a display device (See Figure 7 & 8).
- Sekiguchi (JP 02124683 A) teaches a vehicle display which is controlled by vehicle-speed and the parking brake (See Abstract)
- Kubota et al. (JP 10116086 A) teaches a vehicle video device which displays vehicle operations for the passengers.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Daniel J. Cavallari whose telephone number is (571)272-8541. The examiner can normally be reached on Monday-Friday 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Brian Sircus can be reached on (571)272-2800 x36. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Daniel Cavallari

February 23, 2006



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